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09/706,491	11/03/2000	Gregory E. Ross	RI-69912/MAK	6486

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EXAMINER

BARR, MICHAEL E

ART UNIT

PAPER NUMBER

1762

8

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/706, 491

Applicant(s)

Ross

Examiner

Barr

Group Art Unit

1762

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

☒ Responsive to communication(s) filed on 3/8/02

☒ This action is **FINAL**.

- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-63 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1-22 is/are allowed.
- ☒ Claim(s) 23-63 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_ ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other \_\_\_\_\_

Office Action Summary

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments and amendments, filed 3/8/02, have been fully considered and reviewed by the examiner. In light of the amendments, the new matter rejections and rejections under 35 USC 112 have been withdrawn by the examiner. The examiner recognizes the supplemental declaration and has considered the declaration as being proper. Therefore, the objection to the declaration is withdrawn. The examiner recognizes the addition of Claims 56-63. Claims 1-63 are pending.

The applicant has argued that all of the coating edges of Yoshimura will not be in registration. The examiner is not persuaded by the applicant's argument as registration of all edges of the layers are not required by the claims. The applicant's arguments are not commensurate in scope with the claims. Furthermore, it appears that the layers of Yoshimura are in substantial registration due to the cutting and punching of the patterns.

The applicant argues that Yoshimura does not teach forming the edge before the coating. This issue is addressed in the new grounds of rejection.

The applicant argues against the Yoshimura and Hill references indicating that they do not teach having a second coating defining a perimeter and that they achieve the registration by cutting and punching techniques. The examiner is not persuaded by the applicant's arguments. The applicant's claimed edge forming reads on the cutting and punching of Yoshimura and Hill as the same forms and defines the edges and perimeters of the coating layers. The applicant's claims does not exclude cutting and punching techniques for achieving the claimed registration.

Art Unit: 1762

Again the applicant's arguments are not commensurate in scope with the claims. Due to the cutting and punching of Yoshimura and Hill, second coating layers of Yoshimura and Hill do define the perimeter of the pattern, since it is in registration with the other layers.

The applicant argues that Yoshimura and Hill do not teach a structure having two bases. However, the claimed second base merely reads on an initial coating layer, which Yoshimura and Hill teach. The applicant has not defined the base to exclude such interpretation. The applicant is arguing limitations outside the scope of the claims.

Due to the extreme breadth of the claims, the Yoshimura and Hill references still read on the claimed invention and are being applied and maintained as previously set forth.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 23-27, 36-47, 51-55, and 60-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshimura.

Yoshimura is applied here for the same reasons as given above and in paragraph 9 of the previous office action.

4. Claims 28-31 and 36-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Hill.

Art Unit: 1762

Hill is applied here for the same reasons as given above and in paragraph 10 of the previous office action. Hill teaches the limitations of new Claim 56 as it teaches applying a further coating layer to the opposite side of the substrate from the first coating layer (Col. 8, lines 56-65). New Claims 57-63 are also taught by Hill for the same reasons as given above and in the previous office action.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshimura and further in view of Hill.

Yoshimura is applied here for the same reasons as given above. Yoshimura does not teach forming the edge prior to applying the coating layer. However, such a limitation merely reads on using a mask or stencil to define the pattern for multiple coating layers. Hill is applied here for the same reasons as given above. Hill teaches using a stencil pattern to print a pattern of multiple coating layers, such that the layers are registered and that the stencil defines the edge and perimeter of the coating layers (Col. 9, lines 5-17). It would have been obvious to one skilled in the art to use a stencil to form the desired ink patterns of Yoshimura, with the expectation of achieving the desired results, since it is shown by Hill that such a method is

Art Unit: 1762

typically used for printing patterns on a substrate. The use of such a stencil reads on the claimed edge forming and perimeter defining.

*Allowable Subject Matter*

7. Claims 1-22 are allowed.

*Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

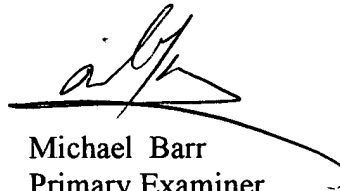
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 1762

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Barr whose telephone number is 703-305-7919. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on 703-308-2333. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-5408 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



Michael Barr  
Primary Examiner  
Art Unit 1762

MB  
April 15, 2002